

## GOVERNMENT OF ANDRHA PRADESH

### A B S R A C T

Social Welfare Department - East Godavari Dist - Divili Village Peddapuram Mandal - Acquisition of Ac.3.63 Cts of lands in Sy.No.56/1 for provision of house sites to weaker sections – Draft Notification and Declaration approved – Withdrawal of Land Acquisition proceedings for an extent of Ac.3.63 Cents in Sy.No.56/1 under Section 48 (1) of Land Acquisition Act - Orders – Issued.

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### SOCIAL WELFARE (LA.1) DEPARTMENT

G.O.Rt.No. 77

Dated: 05-02-2014

Read the following:-

1. From the District Collector, East Godavari Lr.Rc.No.G2/1999/2006, dt. 12.5.2012.
2. From the CSW, AP, Hyd. Lr.Rc.No.LA3/6504/2012, dt:28.7.2012.
3. From the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad Lr.Ref.No.S2/472/2012, dt:18.1.2013.
4. From the District Collector, East Godavari Lr.Rc.No.G2/1999//2006, dated 26.4.2013.
5. Govt Memo.No.10466/SW.LA-1/2012, dated 27.9.2013 and 30.12.2013.
6. From the District Collector, East Godavari Lr.Rc.No.G2/1999//2006, dated 29.01.2014.

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### ORDER:

In the reference 2<sup>nd</sup> read above the Commissioner of Social Welfare, A.P. Hyderabad has forwarded the proposals of the District Collector, East Godavari for withdrawal of land acquisition proceedings in Divili Village, Peddapuram Mandal of East Godavari District of the acquired land to an extent of Ac.3.63 Cts in Sy.No.56/1 for providing house sites to the weaker section people. The Draft Notification under Section 4(1) of the LA Act and Draft Declaration under Section 6 of the LA Act were approved by the District Collector, East Godavari and published in the East Godavari District Gazettee on 11.5.2006 and 26.12.2006. Subsequently the land owner Sri P.V.A.S. Nehru Mohan approached the Hon'ble High Court in W.P.No :26255/2006 and obtained stay orders on 20.12.2006 in W.P.M.P.33718/2006. Later the W.P.No.26255/2006 was dismissed on 02.03.2012 observing that the Petitioner withdraws the Writ Petition. Further the petitioner filed a representation stating that due to financial problems, he wanted to sale away his land and therefore requested to issue orders exempting his land from acquisition. The RDO, Peddapuram while reiterating the above contents has reported that, the subject land measuring Ac.3.63 in Sy.No.56/1 was proposed for acquisition to provide house sites to 106 beneficiaries. Due to Court litigation the acquisition process was delayed and then out of 106 beneficiaries 70 were migrated and constructed their own houses and they were treated as ineligible, to accommodate, the remaining 36 beneficiaries the earlier notified land of Ac. 3.63 Cts is not required and the land is low leveling of 6 feet and it is under paddy cultivation, and to accommodate the remaining 36 beneficiaries alternate land is available. The RDO, Peddapuram has further submitted that notified subject land Ac.3.63 Cts in Sy.No.56/1 of Divili Village Peddapuram Mandal is not required for initiation of house sites the land in question is cultivable land of low leveling 6 feet, not taken possession and no compensation was paid. The Commissioner of Social Welfare, A.P., Hyderabad has requested the Government to approve the withdrawal proposal submitted by the District Collector, East Godavarivide Lr 1<sup>st</sup> read above for acquired land to an extent of Ac.3.63 Cts in Sy.No.56/1 Divili Village, Peddapuram Mandal of East Godavari District.

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2. In the reference 3<sup>rd</sup> read above, the Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has reiterated the contents of the District Collector, East Godavari report dt. 12.5.2012, duly informing that the land in question was cultivable land of low leveling 6 feet, not taken possession and no compensation was paid and requested the Government to approve the withdrawal proposal of acquired land to an extent of Ac.3.63 Cts in Sy.No.56/1 situated at Divili Village Peddapuram Mandal of East Godavari district. The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad further reported that, Under Sec. 48(1) of LA Act, "completion of acquisition not compulsory, but compensation to be awarded when not completed. Except in the case provided for in Sec.36, the Government shall be at liberty to withdraw from the acquisition of any land of which possession has not been taken". Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent the proposals of the District Collector, East Godavari, to the Government to take appropriate decision in the matter.

3. In the reference 6<sup>th</sup> read above the District Collector, East Godavari has furnished revised Withdrawal Notification U/s 48(1) of the Land Acquisition Act 1894 in the name of **Pantham Venkata Andal Sita Rama Nehru Mohan** for the acquired land to an extent of Ac.3.63 Cts in Sy.No.56/1 situated at Divili Village Peddapuram Mandal of East Godavari District. Further the District Collector, East Godavari has reported that as per Revenue records the said extent of land is under the possession of Sri Pantham Venkata Andal Sita Rama Nehru Mohan S/o Gopal Rao but not under the possession of Sri Pantham Venkata Radha Krishna Rajaji Mohan which was notified U/s 4(1) of LA Act 1984.

4. After careful examination of the entire matter, Government hereby accord permission to the District Collector, East Godavari to withdraw the Draft Notification and Declaration published in the East Godavari District Gazettee on 11.5.2006 and 26.12.2006 under Section 4(1) of LA Act, for acquisition of land to an extent of Ac.3.63 Cts in Sy.No.56/1 situated in Divili Village Peddapuram Mandal of East Godavari District under Section 48 (1) of LA Act. He is requested to publish the withdrawal Notification annexed to this G.O in the next issue of the District Gazettee and Local News Papers.

5. The District Collector, East Godavari is directed to take necessary action accordingly and send the compliance report to Government, immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER**  
**PRINCIPAL SECRETARY TO GOVERNMENT (FAC)**

To  
The Spl Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad  
The Commissioner of Social Welfare, A.P., Hyderabad  
The District Collector, East Godavari  
SC/SF.

//FORWARDED::BY ORDER//

SECTION OFFICER

(Contd.. Annexure)

**ANNEXURE To G.O Rt.No. 77 , SW(LA-1) Department, dated 05.02.2014**

NOTIFICATION UNDER SECTION 48(1) OF THE LAND ACQUISITION ACT, 1894.

**WITHDRAWAL NOTIFICATION**

Under Section 48(1) of the Land Acquisition ( Amendment) Act, the Notification issued under Section 4(1) of the Land Acquisition Act approved by East Godavari Collector's Proceedings Ref. G2/1999/2006, dt. 10.5.2006 and published in East Godavari district . Extraordinary Gazette No. 119/2006, dt. 10.5.2006 which notified for providing house sites to poor in S.No.56/1 measuring Ac. 3.63 cents as per schedule given below was withdrawn from acquisition.

District East Godavari Mandal: Peddapuram Village : Divili

Survey Number	Description of the land	Extent withdrawn Ac.Cts.	Name of the land owner/Occupier
56/1	Wet	3.63	<b>PanthamVentaka Andal Sita Rama Nehru Mohan</b>
	<b>Total</b>	<b>3.63</b>	

**J. RAYMOND PETER**  
**PRINCIPAL SECRETARY TO GOVERNMENT (FAC)**

SECTION OFFICER